



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200  
DALLAS, TX 75202-2733

MAR 23 2012

Shellie Chard-McClary, Division Director  
Water Quality Division  
Oklahoma Department of Environmental Quality  
PO Box 1677  
Oklahoma City, OK 73101-1677

Dear Ms. Chard-McClary:

Please find enclosed the Fiscal Year 2011 program review of the Oklahoma Department of Environmental Quality's (ODEQ) Public Water Supply Supervision (PWSS) Program. Also included for your reference is the final draft report from the August 2011 File Review, which also highlights ODEQ's PWSS successes and challenges. The purpose of the annual program review is to assess the status of the State's drinking water primacy program, including the State's ability to achieve new PWSS primacy requirements, program implementation of existing regulations, and other key drinking water activities in accordance to Title 40 of the Code of Federal Regulations Part 142.17. In addition, the annual program review serves as a valuable tool in identifying strengths and challenges in the State's ability to maintain primacy.

Rule adoption and implementation are primacy requirements that continue to be the largest challenges facing ODEQ's PWSS program. ODEQ was the first state agency in the nation to receive primacy for the PWSS program, and, until 2006, ODEQ was one of the first states to adopt and implement new rules to keep their PWSS program current. However, in recent years, ODEQ's program has not kept pace with federal laws and neighboring states. Two-year extensions granted by EPA Region 6 have expired for adoption of the three most recent drinking water rules; the extension deadline for both the Long Term 2 Enhanced Surface Water Treatment Rule (LT2 ESWTR) and Stage 2 Disinfectants and Disinfection Byproduct Rule (Stage 2 DBPR) expired January 2010, and the Groundwater Rule (GWR) extension deadline expired November 2010. While new Drinking Water Regulation adoption and implementation is of critical concern, please note that the enclosed 2011 review of the ODEQ PWSS program also identifies implementation deficiencies for Drinking Water Regulations previously adopted by ODEQ. Continued failure to adopt new Drinking Water Regulations and further decreases in program accomplishments will jeopardize ODEQ's PWSS program primacy.

Please review the enclosed reports and provide a strategy for addressing primacy obligations within 30 days. The strategy should address rule adoption and current rule implementation backsliding, and should include milestones. My staff will be happy to work with you and your staff in developing this strategy. Please contact me at 214-665-3187, if you would like to discuss further our concerns about the Oklahoma PWSS Program.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'WK Honker', with a stylized, flowing script.

William K. Honker, P.E.

Acting Director

Water Quality Protection Division

Enclosures

cc Carl Parrott, ODEQ  
David Pruitt, ODEQ  
Patrick Rosch, ODEQ